

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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First Named Inventor : Stephen Loomis  
Serial No. : 10/538,334  
Filed : December 11, 2003  
Art Unit : 2615  
Confirmation Number : 1545  
Examiner : Andrew C. Flanders  
Title : Apparatus and Method for Skipping Songs With Out  
Delay  
Attorney Docket No. : AOL0111-2

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November 04, 2008

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Examiner:

In accordance with the provisions of 37 CFR 1.97 and 1.98, Applicants hereby make of record the patents listed on the accompanying form/s PTO-SB08 or 1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application.

## **REMARKS**

In accordance with the provisions of 37 CFR 1.97 this statement is being filed:

( ) under 37 CFR 1.97(b), or

(within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

- (X) under 37 CFR 1.97(c) together with either a:
  - (X) Certification under 37 CFR 1.97(e), or
  - ( ) a \$180.00 fee under 37 CFR 1.17(p), or  
 (after the CFR 1.97(b) time period, but before the mailing of a final action or notice of allowance, whichever occurs first)
- ( ) under 37 CFR 1.97(d) together with a:
  - ( ) Certification under 37 CFR 1.97(e), and
  - ( ) a \$180.00 fee under 37 CFR 1.17(p)  
 (filed after mailing date of final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- ( ) The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 07-1445 (Order No. AOL0111-2).
- ( ) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on form(s) 1449 or PTO-SB08 as presently understood by the individual(s) designated in 37 CFR 156(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form(s) 1449 or PTO-SB08 and is enclosed herewith.

**CERTIFICATION FOR  
 INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.97(e)**

- ( ) Applicant certifies pursuant to 37 CFR 1.97(e)(1) that each item of information listed on the attached PTO Form 1449 or SB/08 was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the Information Disclosure Statement.
- (X) Applicant certifies pursuant to 37 CFR 1.97(e)(2) that no item of information listed on the attached PTO Form 1449 or SB/08 was cited in a communication from a foreign patent office in a counterpart foreign application. In addition, to the knowledge of the undersigned after making reasonable inquiry, no item of

information listed on the PTO Form 1449 or SB/08 was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

- ( ) All of the references have been previously cited in parent application Serial No. \_\_\_\_\_. Accordingly, Applicant has not provided copies of these references as they are readily found in the file of the parent application.

Applicant respectfully requests that the information disclosed herein be made of record in this application.

Respectfully Submitted,



Michael A. Glenn  
Reg. No. 30,176

Customer No. 22862